RECEIVED CENTRAL FAX CENTER

JUL 0 7 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT EXAMINING OPERATION

Applicant:

Andrew Hill

Serial No:

10/019,606

Group Art Unit: 1746

Filed:

May 1, 2002

Examiner:

Bruce F. Bell

Att. Docket No.: \$1011/20126

Confirmation No.: 8030

For:

ELECTRODE

RESPONSE TO NOTICE OF FAILURE TO ACCEPTABLY RESPOND TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Notice of Failure to Acceptably Respond to Notice of Non-Compliant Amendment dated June 2, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

JUL 0 7 2005



LAW OFFICES

CAESAR, RIVISE, BERNSTEIN, COHEN & POKOTILOW, LTD.

PATENTS, TRADEMARKS, COPYRIGHTS

ALAN H. BERNSTEIN STANLEY H. COHEN MANNY D. POKOTILOW BARRY A. STEIN MARTIN L. FARGUS ERIC S. MARZLUF ROBERT S. STLVER MICHAEL J. BERKOWITZ SCOTT M. SLOMOWITZ

MONA GUPTA DAVID M. TENER SALVATORE R. GUERRIERO JAMES J. KOZUCH WILLIAM J. CASTILLO FRANK M. LINGUITI GARY A. GREENE MICHAEL J. CORNELISION BRUCE J. CHASAN

MARINA E. VOLIN KEVIN A. KEELING LYNN M. TERREBONNS, PH.D. MARC B. BASSLER WILLIAM C. YOUNGBLOOD

PATENT AGENTS DANA M. KOLESAK A.D. CAESAR (1901-1995) CHARLES RIVISE (1900-1951)

COUNSEL ALLAN H. FRIED, PR.D.

* ALSO ADMITTED TO PRACTICE IN NO T ADMITTED ONLY IN HJ. AND N.Y.

FACSIMILE TRANSMITTAL SHEET

CERTIFICATE OF TRANSMISSION

I hereby certify that the attached Communication is being facsimile transmitted to telecopier No. 703-872-9306 to the U.S. Patent and Trademark Office on July 7, 2005.

y A. Greene

U.S. Patent and Trademark Office TO:

DATE: July 7, 2005

703-872-9306 TELECOPIER NO.

FROM: Gary A. Greene

NO. OF PAGES: 12 (Including Cover)

RECEIVED **OIPE/IAP**

Re:

U.S. Patent Application No. 10/019,606

Applicant: Andrew Hill

Our Reference No. S1011/20126 (Case No. 254)

JUL 0 8 2005

IF YOU DO NOT RECEIVE ALL THE PAGES INDICATED ABOVE, PLEASE CALL US BACK AS SOON AS POSSIBLE. This transmittal contains PRIVILEGED AND CONFIDENTIAL information intended only for the use of the addressee. If you are not the intended recipient, you are hereby notified that any dissemination or copying is strictly prohibited. If you have received the transmission in error, please call us immediately by telephone (collect) and we will make arrangements with you to have the original facsimile returned to us at our expense. Thank You.

COMMENTS:

Applicant Respectfully Requests that the Attached Response to Notice of Failure to Acceptably Respond to Notice of Non-Complaint Amendment along with a two month Petition for Extension of Time be considered regarding the Amendment dated April 14, 2005 in the above captioned patent application.

> 11th Floor · Seven Penn Center · 1635 Market Street · Philadelphia, PA 19103-2212 Telephone: 215-567-2010 · Fax: 215-751-1142 · www.crbcp.com

(Substitute) PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paparwork Reduction Act of 1995, no persona are required to respond to a collection of information unless it displays a valid OMB control number. Application Number <u>10/019,606</u> TRANSMITTAL Filing Date May 1, 2002 ANDREW HILL First Named Inventor **FORM** Art Unit 1746 BRUCE F. BELL Examiner Name (to be used for all correspondence after initial filing) Attorney Dacket Number S1011/20126 (case No. 254) Yotal Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC V Pelition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidayits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Document(s) PLEASE CHARGE ATTORNEY ACCOUNT NO. 03-0075 AS NECESSARY Reply to Missing Parts/ TO EFFECT ENTRY AND/OR ENSURE CONSIDERATION OF THIS Incomplete Application SUBMISSION Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000 Signature Printed name GARY A. GREENE July 7, 2005 Reg. No. Date 38,897 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on telecopier No. *7*03-872-930<u>6</u> the date shown below: Signature

This coflection of information is required by S7 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 2/12 * RCVD AT 7/7/2005 4:01:44 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/10 * DNIS:8729306 * CSID:215 751 1142 * DURATION (mm-ss):03-20

GREENE

GARY A.

Typed or printed name

Date

July 7, 2005